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# BIBLIOGRAPHY

## PART I: THE AUXILIARY SCIENCES

### IV. Diplomatics

The progress which has been made in the science of history is due for the most part to the more profound study in recent times of original manuscript sources. These sources Reussens has divided into two general classes—*official documents* and *annals*. Under the head of *official documents* he lists pontifical documents, imperial acts, acts of bishops, princes, municipal authorities, notaries, etc. Under *annals* he mentions chronicles or histories composed by contemporary or quasi-contemporary writers.<sup>1</sup> To utilize these sources according to modern scientific method, the student must be able:

1. To decipher and to read all such documents (Paleography).
2. To judge their authenticity from their external and internal character (Diplomatics).
3. To assign to them an exact and precise date (Chronology).

It has been the tendency of the special student in the historical field to separate these three main auxiliaries into sciences apart from the general study of history itself, and the rather rapid development of these subordinate studies has created a tendency to augment their number. Books have multiplied in all these auxiliary branches, and it is quite possible that, with their arrival at a definite stage of development, the much discussed problem of the scientific nature of history may be settled. Of the problems which present themselves in the study of every document, the most important is that of its authenticity. To gather the documents upon any one episode in history, to transcribe them, and to accept them as evidence without subjecting them to a searching criticism both as regards their authentic nature and their value, is a thing of the past.<sup>2</sup> To enable the student to search for these original documents and to test them critically by a series of canons or laws which will prove or disprove their genuineness, is the object of the science of Diplomatics.<sup>3</sup>

"The kernel of all sound teaching in historical matters," writes Freeman in his *Methods of Historical Study*, "is the doctrine that no historical study is of any value which does not take in a knowledge of original authorities. . . . Any knowledge of history which is good for anything must be founded on the mastery of original authorities; but it will not be founded on an attempt to master all original authorities. Every student must master some; no student can master all. Even he who makes historical study the main business of his life cannot expect to master more than the original authorities for a few specially

<sup>1</sup> REUSSENS, *Eléments de Paléographie*, p. 1. Louvain, 1899.

<sup>2</sup> DE SMEDT, *Principes de la Critique Historique*, p. 83. Paris, 1883.

<sup>3</sup> "The business of this branch is the testing of the genuineness of records and other pieces of writing by outward signs, in contrast with the so-called 'higher criticism.'" DROYSEN, *Principles of History*, p. 22. Andrew's translation, Boston, 1893.

chosen periods.”<sup>4</sup> In the study of American Church history, it is hardly any exaggeration to say that the ground has yet to be broken in practically every episode which has occurred in the early history of Catholicism in this country. There has never been any well-organized attempt to furnish American scholars, whether Catholic or non-Catholic, with the documentary evidence for the history of the Church. Not only has there been no effort, apart from the individual work of certain scholars at Georgetown, Philadelphia, Villanova, and at Notre Dame University, to gather up what relics remain in this country, but the Church in America as a whole has never recognized the necessity of gathering from every known depot the documents which trace its life from the ancient days when a hierarchy of many bishops ruled the See of Gardar down to our own time. Nor has the American government done its duty to Catholic American scholarship in this respect. London archival centers, as well as those of Paris and Berlin, possess collections of *Vatican Transcripts*, etc., etc., for the purpose of facilitating scholarly work in Church history.<sup>5</sup> But here in the United States, where so much of our early history is in reality Catholic history there has been comparatively little done to bring the great archival centers of the world to Washington by means of transcripts, photographs, or other diplomatic means of reproduction. If the Catholic Church in the United States is to be given the place it deserves in the history of the growth of the nation, it will only be done by bringing to light the history of its past. That past lies in documents still untouched, for the most part. Elsewhere in these pages we have dealt with this problem by suggesting the establishment of a National Catholic Archives at Washington—either as part of the Manuscript Division of the Library of Congress or as an adjunct of the Historical Department of the Catholic University of America. Such a National Catholic Archives would be divided logically into two main sources—foreign and domestic. The foreign section would contain transcripts or photographic copies of all the documents in Europe, Canada, Mexico, Cuba, Central America, and South America, which in any way treat of the Church history of our country. By means of these transcripts, scholars would be enabled, under the same strict supervision which prevails in all archive depots, to write the history of the Church from original documents. Monographs, biographies, archeological treatises of the highest type could then be produced, and they would find a welcome in every scientific circle in the United States. In the domestic section, all the documentary evidence for the history of the Church, now scattered throughout the country, might be brought together, and we would be saved any repetition of the crimes which have occurred not only in the past but even in our own day, when valuable collections of ecclesiastical letters, documents, papers, and manuscripts were given to the flames for one reason or the other—usually to make room for others. Churchmen have not, however, been the only ones guilty of this crime. One of our best historical scholars, Dr. Alvord, in his paper: *The Relation of the State Historical Work*, speaks very frankly of the lack of consciousness on the part

<sup>4</sup> *Op. cit.*, pp. 156, 158.

<sup>5</sup> Cf. *The Vatican Archives*, article in the *American Historical Review*, by CHARLES H. HASKINS, Vol. ii (1896-97), pp. 40-58.

of public officials of the seriousness of this situation. He tells the story of the Santa Fe manuscripts which were sold as rubbish to the merchants of the town; he describes the destruction of large collections of documents dealing with the French settlements of Cahokia and Kaskaskia by a clerk in house-cleaning time. Those who were present at the annual meeting of the American Historical Association in Washington in December, 1916, will remember the indignation which swept across that body when photographs were thrown upon the screen describing the present condition of our governmental archives. One can, however, excuse public officials; they are not ordinarily of a scholarly trend of thought. There is no excuse in ecclesiastical circles for the destruction or the non-preservation of documents which tell the story of the Church's progress in this country.

It may be a long time before any corporate ecclesiastical consciousness is aroused in this subject. Meanwhile through the medium of this periodical an effort is being made to reach those who have all such documentary collections in their possession. To give only one example of the necessity of arousing this spirit, one need only mention the fact that in one of our large Catholic centers, an American Historical Society, already in possession of some of the most valuable *Americana* in existence, has been asking in vain for years for a support adequately large enough to care for its manuscript collections as they deserve.

When the time does come that an effort will be made by some large-minded Catholic to fill this want in Catholic historical study, the Church will need trained archivists to establish as nearly as possible the true development of the Church from these untouched sources. Not only must there be scholars like Jaffé, Bresslau, Prou, Giry, Kehr, and others, who will publish authentic Regesta of these Catholic documentary collections, but there will be need also of trained students in all the auxiliary sciences of history. Their duty it will be to determine the admissibility of all such documentary sources and to test the evidence they contain by the canons of the more important specialized branches of historical science, such as historical bibliography, paleography, diplomatics, chronology and historical geography. Among these auxiliary branches, that of diplomatics is of supreme value.

The science of diplomatics has for its object the study of the historical value of documents. The word *diploma* is sometimes taken in a generic way to include the different kinds of documents which come under the historian's gaze: *charta*, *charte*, *notitia*, *epistola*, *litera*, *scriptura*, *acta*, *instrumentum*, *testamentum*, *chirographum*, *scriptum*, *documentum*, *roll*, *chartularium*, *register*, *contract*, etc., etc. Most of these classes of documents have characteristics which differentiate them, one from another; but certain aspects of them are common to all, and among these aspects one is of the highest importance to the historian—their authenticity. Diplomatics is the science of the authenticity of such documentary evidence. Documents are only valuable for direct historical evidence when they can be proven to be authentic, coming to us from a known source and of a definite time and place. To verify the authentic character of a document, to determine its provenance and to establish its time and place of composition, are all necessary preliminaries to the use of the document as historical evidence.

The question of authenticity is the most delicate of the three, and it is owing to the efforts of the historical students to reach certain fixed rules for such verification that we possess the auxiliary science of Diplomats.<sup>6</sup> The authorship and the date of the document are not always so important that they need be known with exactitude, but until the document is proven genuine, there can be no question of its use for direct and immediate evidence. Any written document may justly be called a diplomatic source of history, and the science which has grown up around the problem of the authenticity of such sources furnishes the student with the definitions, the principles and the methods to be used in studying the governance of such sources, in interpreting their meaning, and in determining their value as historical material. It is quite possible, as Bresslau has said in another connection, that one can become a skilled worker in the field of history without being a Diplomatist; but if the scientific ability the science of Diplomats creates and nourishes in the student be absent there will surely be discrepancies in his method of interpretation and valuation. Vincent has expressed this thought clearly in the following paragraph: "Although one may never devote himself to a period in which Latin documents are the rule, with the intention of becoming an expert diplomatist, it is nevertheless essential that one should be familiar with the evidence and method by which conclusions are reached. Even for the reader who depends upon the printed copies it is necessary to know the construction of documents and the practices of chanceries, so that he may distinguish between what is formal and what is freshly communicated. For even if it is left to the paleographers to determine whether a document is genuine or not, there are certain parts of the paper which are historically more valuable than others, and the student should be able to decide what are merely notarial repetitions and what are expressions of will, or relations of fact. And in the case of the writing, each period has its peculiarities of expression, varying slightly from its predecessors. These have been so carefully studied that documents may be identified and dates established in large measure by the evidence of form. The office practice of every reign in the medieval empire has been classified by modern scholars, and by the combined application of paleography and diplomats the world has been put into possession of a mass of sifted materials which were inaccessible to the earlier historians."<sup>7</sup>

There is a very imposing collection of sources for the history of the Catholic Church in the United States which cannot be used with skill unless they are tested by the principles of Diplomats. Through these principles, the student is able to discover, establish, and verify the authenticity of the documents he wishes to use. Giry has given a classic mould to these principles in his *Manuel de Diplomatsique*. His volume is divided into seven books which deal with the following subjects: (1) the object and history of the sciences; (2) technical chronology; (3) terminology of the document (persons, places, measures, language); (4) the organic structure of the document; (5) chancelleries; (6) unofficial documents; (7) forgeries. It is in defining the organic structure, or in

<sup>6</sup> GIRY, *Manuel de Diplomatsique*, p. 4. Paris, 1894.

<sup>7</sup> VINCENT, *Historical Research, an Outline of Theory and Practice*, pp. 55-56. New York, 1911.

explaining the constituent elements of a legal documentary source that the science has reached its highest development. All such documents may be divided into three parts: the Protocol, the Text, and the Eschatocol. These are further divided as follows:

#### I. PROTOCOL.

1. The *Invocation*, viz, the expression of the name of God either nominally or symbolically. The *Chrismon* is the symbol usually found. Verbal invocations are numerous, *e. g.*, *In nomine sanctae et individuae trinitatis*.
2. The *Intitulatio*, or Title, containing the name of the grantor, *e. g.*, *Bonifatius episcopus, servus servorum Dei*, dilectis in Christo filiabus, etc.
3. The *Address*, or Inscription, containing the name and title of the person for whom the grant is made, *e. g.*, *Bonifatius episcopus, servus servorum Dei, dilectis in Christo filiabus N. N. priorisse et conventui monasterii inferioris Prumie per priorissam soliti gubernari, ordinis sancti Benedicti, etc.*
4. The *Greeting*, or salutation, *e. g.*, *Bonifacius . . . Benedicti, salutem et apostolicam benedictionem*.

There are exceptions to this regular order in the Protocol in many documents, since some of these parts are not absolutely essential; but the general structure of the opening paragraph of any document of what is technically known as legal authenticity should contain them all at least implicitly. The four factors will be found at the present time in papal documents.

#### II. TEXT.

1. The *Prologue*, *Arenga*, *Preamble*, is practically the same as the exordium of a discourse, *i. e.*, an expression of general and often banal considerations *ad captandam benevolentiam*. It is found usually in donations of a pious character, *e. g.*, *Singularis necne praecipua est divinae misericordiae causa, quia benignitati Salvatoris Domini Dei nostri, ea dignationis ratione, humanae fragilitati naturae placuit providendo consulere et consulendo providere ut in divinis voluminibus et sanis ornamenta et egrotis congrua dispensaverit remedia*. (From the *cartularium* of the Abbey of Saint-Père of Chartres, Vol. i, p. 84. The document details the conditions of a gift made to the Abbey in 998. Cf. GIRY, *op. cit.*, pp. 340-41. Cf. also for other examples VINCENT, *op. cit.*, p. 62.)
2. The *Promulgation*, *Publication*, *Notification*, notifies all and sundry of the contents of the document, *e. g.*, *Notum sit omnibus et singulis*. It is not always present in the document, and is usually joined to the Preamble by the conjunctions *igitur, ideo, idcirco*, etc.
3. The *Narration*, or *Exposé*, indicates the reasons which prompted the donation or the decision of the grantor. Sometimes it contains the petition made by those asking for the donation or confirmation in question. In this way the *Narration* may reveal valuable evidence for the identity of historical persons, places or events, otherwise unknown. Giry makes mention of the "intervention" of a third party, the intermediary, whose name sometimes appears in the document, as giving rise to the verb *ambasciare*, from which our word *ambassador* comes.

4. The *Disposition*, declares the will of the grantor or the object of the document in question. It usually opens with the words: *quapropter, ergo, his attentis*, etc. Vincent calls it the "kernel of the document, the legal act to which the other formalities give protection." (*Op. cit.*, p. 64.) The *Disposition* is usually contained in the words: *statuimus, precepimus, jussimus*, etc. In the *Disposition* the principal or essential part of the document has been expressed; it is followed by the sanctions or penal clauses which give a guarantee to the observance of the act itself.
5. The *Sanction*, contains different clauses destined to ensure the execution of the grantor's will in the affair. Those formulas are of many kinds. Giry treats in detail of seven classes of formulas. (*Cf. op. cit.*, pp. 553-567.)
6. The *Corroboration*, indicates the formalities which have been observed to legalize the act in question, or to insure its inviolability, *e. g.*, *hanc chartam fieri rogavi, scripto commendari fecimus, praeceptum inde conscribi jussimus*. (*Cf. Giry, op. cit.*, pp. 568-70.)

### III. ESCHATOCOL,

which is sometimes called the Final Protocol, contains the closing formalities of the document, which are essential to its validity. Without these the document has no legal force.

1. The *Signatures* of the grantor, of the chancery officials, and of the witnesses. Sometimes the names are written out, sometimes monograms or sign-manuals are used. Some of the royal signatures of the Carolingian epoch are elaborate examples of monogrammic signatures. The seals used in validating the document have given rise to a distinct auxiliary science—Sigillography.
2. The *Date*, localizes the document in time and place. The auxiliary sciences of Chronology and Historical Geography have as their immediate object the determination of the date and place of the document.
3. The *Appreciation*, or final Invocation, in early medieval documents is an appeal to divine protection in the realization of the wish expressed in the act itself, *e. g.*, *Deo gratias, felicitate, felicitate in Domino, Amen*, etc. It has seldom been used since the thirteenth century.

It would be a mistake to conclude that all legal acts contain these three main divisions of Protocol, Text, and Eschatocol, in exactly the same arrangement as here described, nor are the different subdivisions always disposed in the same order as given. Sometimes one or the other is lacking, and sometimes two or more of these parts are interlaced. The essential difference is that between Text and Protocol. A good example of legal ecclesiastical document containing almost all these subdivisions is the Apostolic Letter of Alexander VI, dated Rome, June 25, 1493, appointing Bernard Buil first Vicar Apostolic of the New World.<sup>3</sup>

Apart from these general indications of the organic structure of legal acts, the science of Diplomatics embraces also the following questions: sources of documents; language of documents; different stages in the construction of a legal document; methods of transmitting and preserving documents, and forgeries. Of these additional questions with which the science deals, the

<sup>3</sup> See facsimile of the same in HAYWOOD, *Documenta Selecta*, etc., pp. 27-35.

important one is that of the chancellery system of the courts of Europe, and for the Church historian the Papal chancellery is more important still. At the period when documentary evidence for American Church history begins, namely, the Apostolic Letter to Buil, all the canons of Diplomats were in use, and have remained practically the same down to our own day, with certain changes which came during the pontificate of Leo IX (1048), Innocent III (1198), Eugene IV (1431), and Leo XIII (1887). Papal Bulls, Letters, Constitutions, Decretals, Briefs, etc., are all amenable to the searching criticism of Diplomats.

To give any adequate bibliographical apparatus for the science is impossible in a brief sketch. The means and methods of research in archival centers grow in value year by year, and any general Manual, such as that of Giry, contains lists of guides, general catalogues, regesta, and *relazione* for this purpose. The richest of all these bibliographies is that of Oesterley, *Wegweiser durch die Literatur der Urkundensammlungen*. (Berlin, 1885-86, 2 vols.) Giry gives a list of the facsimiles, which have been published up to his time, in the chronological order of the publication. (*Op. cit.*, pp. 42-50.) A general reference to his *Manuel de Diplomatie* is sufficient. There all the best-known students in this field will be found—Mabillon, Sickel, Ficker, Bresslau, Paoli, Erben, Tangl, Denifle, Pflug-Harttung, de Mas-Latrie, Berlière, Schiaparelli, Kehr, Jaffé, Prou, etc., etc. It will be with the aid of these works, and guided by the principles of the science of Diplomats, that future students in American Church history will be able to construct that fundamental and necessary source for the Catholic history of the United States—the *Chartularium Americanum*.

(To be continued)